

REMARKS

By this Amendment, claims 1-5, 8-9, 11, 13-15, 17 and 19 have been amended to merely clarify the recited subject matter and claims 6, 12 and 18 are cancelled without prejudice or disclaimer. Claims 1-5, 7-11, 13-17 and 19 are pending.

Claims 1-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Pinard et al. (U.S. 5,815,811; hereafter "Pinard") and Linkola et al. (U.S. 6,708,033; hereafter "Linkola"). The cancellation of claims 6, 12 and 18 renders the rejection of those claims moot. Applicant traverses the rejection of the remaining claims because: (1) the prior art references, analyzed individually or in combination, fail to disclose, teach or suggest all the features recited in the rejected claims; and (2) the motivation to combine the teachings of Pinard and Linkola is insufficient to support a rejection of obviousness.

REFERENCES FAIL TO TEACH OR SUGGEST CLAIMED ELEMENTS

As recognized by the Office Action, Pinard fails to disclose, teach or suggest storage of information sets describing settings used to access networks and their associated resources. In fact, because such information sets are not disclosed in Pinard, Pinard also fails to disclose determination of available information sets or accessing a network using an available information set as well. Further, Pinard fails to disclose, teach or suggest scanning of information related to the **names** of available networks (see Fig. 3 determining the contents of the probe response). Figure 3 of Pinard merely determines the contents of the probe response. Based on those teachings, it would be impossible to scan for information on names of available networks. Rather, Pinard merely scans to obtain signal strength information to form an eligible group (see Pinard, col. 5, line 65 – col. 6, line 1).

However, Linkola fails to remedy these deficiencies of Pinard because Linkola merely discloses a solution for changing a subscriber's profile automatically as its location changes in public land mobile networks, thereby enabling services to be delivered depending on a subscriber's profile. In fact, Linkola merely teaches first checking the current location of a mobile station and comparing that location to location information stored previously. If, based on that comparison, the subscriber's location has changed, new connection information is searched (see Linkola, Figs. 6 and 7). If the subscriber's Mobile Station Integrated Services Digital Network (MSISDN) is different, a new connection is established for the new MSISDN, using settings associated with the new MSISDN.

Thus, Linkola fails to disclose, teach or suggest accessing a network in a wireless local area network system. Linkola's teachings are limited to public land mobile network (PLMN) systems and in particular to GSM. Thus, Linkola does not disclose storage of information sets describing settings used to access wireless local area networks.

The Office Action asserted that Linkola discloses the determination modules, see the Number Assignment Module (NAM) in col. 4, lines 50-56 (which refers to another reference, Fyfe (U.S. 5,428,666)). However, neither Fyfe, nor Linkola's interpretation of Fyfe, included in the referenced passage, teach or suggest a determination of available information sets by comparing the information related to names of available wireless local area networks to the stored information sets or the access of at least one wireless local area network based on settings described in the available information sets.

Further, Linkola fails to disclose, teach or suggest scanning for information related to names of wireless local area networks. Contrary to the assertions of the Office Action, Linkola, at col. 5, lines 55-57, col. 6, lines 3-15 and lines 19-25, merely teach that location and connection data may be stored in memory. However, the comparison performed by Linkola relates to whether there is a need to change the connection due to a change in subscriber location (see, col. 6, lines 15-24). In fact, Linkola merely describes comparison of present location data to stored location and connection information. There is no teaching or suggestion to compare names of networks (or wireless local area networks in particular) to information sets. Thus, Linkola fails to teach or suggest determination of available information sets by comparing information related to names of available wireless local area networks to stored information sets.

Further, Linkola fails to teach or suggest the access of at least one wireless local area network based on settings described in the available information sets. In Linkola, connection establishment is described in col. 6; however, there is no teaching regarding use of settings in available information sets for accessing a wireless local area network.

As a result, the combined teachings of Pinard and Linkola fail to disclose teach or suggest the claimed invention including scanning of information related to the names of available wireless local area networks, or determining available information sets by comparing the information related to names of the available wireless local area networks to the stored information sets. Accordingly, claims 1-5, 7-11, 13-17 and 19 are patentable.

NO MOTIVATION TO COMBINE REFERENCES

Applicant further traverses the prior art rejection because there is no motivation to combine the teachings of Pinard and Linkola, as hypothesized by the Office Action. The Office Action asserted that one of ordinary skill in the art would have combined the teachings of Pinard and Linkola because “this eliminates the wasted time of the user having to manually reconfigure the mobile device’s system settings for each wireless network.” However, neither Linkola nor Pinard teach or suggest that such elimination would be advantageous or even possible. In fact, the likelihood that combining the teachings of those references would indeed result in such elimination would have been recognized as impossible for the reasons explained above.

Moreover, Linkola is significantly different from Pinard in its teachings regarding network structure and operation. Linkola relates to changing an applied connection based on the location of the mobile station (Abstract) to offer location-based services (col. 5, lines 39-45). While, Pinard relates to finding the most eligible access point by periodic scanning (Abstract). In Pinard, the eligibility of the access point is determined by (a) received access point signal quality and (b) a loading factor at the access point. (column 4, lines 10-13) This is performed to reach a satisfactory communications level at the mobile unit. Thus, one of ordinary skill in the art would not consider Linkola when trying to enhance and modify the equipment of Pinard related to wireless local area networks.

REFERENCES FAIL TO TEACH OR SUGGEST CLAIMED ELEMENTS

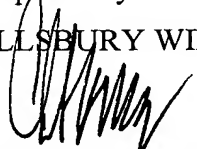
Accordingly, claims 1-5, 7-11, 13-17 and 19 are patentable over the teachings of Pinard and Linkola. All rejections having been addressed, Applicant requests issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant’s undersigned representative at the telephone number listed below.

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Respectfully submitted,

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